

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RICHARD J. GACHO, Sr.,)	
)	
Plaintiff,)	07 C 6378
)	
v.)	Honorable Judge
)	Wayne Andersen
SUPT. ANDREWS, LT. TUCKER,)	
C/O COLLAZO, C/O PIERCE, JOHN DOE)	
)	
Defendants.)	

**MOTION TO ENLARGE THE TIME PERIOD IN WHICH
TO MOVE, ANSWER OR OTHERWISE PLEAD**

NOW COMES Defendants, Superintendent Dennis Andrews, Lieutenant Earl Tucker, Officer Roderick Pierce and Officer Richard Callazo through their attorney, RICHARD A. DEVINE, State's Attorney of Cook County, by his Assistant State's Attorney, Sarah M. Burke, pursuant to Federal Rule of Civil Procedure 6(b) (1), moves this Honorable Court to enlarge the time period in which to answer or otherwise plead until February 4, 2008 and to vacate any and all defaults that may have been entered. In support, defendants' state:

1. Defendants were served on or about December 10, 2007.
2. The Defendants' subsequently requested representation from the Cook County State's Attorney's Office, and the undersigned attorney was assigned to represent the defendants in this matter on January 2, 2008.
3. The undersigned immediately ordered all Cook County Department of Corrections ("CCDOC"). In addition, counsel has sent the Plaintiff a HIPPA waiver to be executed and returned as soon as possible. These requests are necessary for the Defendants to obtain records that may be germane to the Plaintiff's claims.

4. That once the undersigned attorney is in receipt of all relevant jail and medical records regarding the allegations in the complaint, she will have to determine whether an answer or dispositive motion should be filed on behalf of the Defendants.
5. The undersigned is also defending seventeen other cases that are pending both in this District and the Circuit Court of Cook County which require litigation responsibilities too numerous to list.
6. The undersigned attorney is not being dilatory in bringing this motion and apologizes to this Honorable Court for any inconvenience that this extension may cause.

WHEREFORE, the defendants respectfully request that this Honorable Court vacate any defaults, technical or otherwise that may have been entered, and grant an enlargement of time until February 4, 2008 to move, answer or otherwise plead.

Respectfully Submitted,

RICHARD A. DEVINE
State's Attorney of Cook County

By: /s/ Sarah M. Burke
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